

Amendment No. 2 to HB3967

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Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3861*

House Bill No. 3967

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Title 7, Chapter 86, is amended by adding the following as a new, appropriately designated section thereto:

7-86-_____.

(a) If a provider of an IP-enabled service offers 911 or E-911 services, that provider, its officers, directors, employees, vendors, and agents, shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent that is not less than the scope and extent of immunity or other protection from liability that any incumbent local exchange company, and its officers, directors, employees, vendors, or agents, have under applicable law (whether through statute, judicial decision, tariffs filed by such local exchange company, or otherwise), including in connection with an act or omission involving the release of subscriber information related to the emergency calls or emergency services to a public safety answering point, emergency medical service provider, or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility.

(b) A person using an IP-enabled service that offers 911 or E-911 services pursuant to this subsection shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law in similar circumstances of a person using 911 or E-911 service that is not provided through an IP-enabled voice service.

(c) In matters related to IP-enabled 911 and E-911 communications, a PSAP, and its employees, vendors, agents, and authorizing government entity (if any) shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law

accorded to such PSAP, employees, vendors, agents, and authorizing government entity, respective, in matters related to 911 or E-911 communications that are not provided via an IP-enabled service.

(d) Nothing contained in this chapter shall be construed to impose or permit the imposition of state telecommunications regulation or public utility regulation on IP-enabled voice service providers.